

FILED

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
COLUMBIA DIVISION

LARRY W. PROPES, CLERK  
COLUMBIA, S.C.

ENTERED

10-30-98

MARIE-THERESE ASAA'AD - )  
FALTAS, )  
Plaintiff, )  
vs. ) CA No. 3:94-1578-19  
UNIVERSITY OF SOUTH CAROLINA, )  
*et al.*, )  
Defendants. )  
\_\_\_\_\_  
)

ORDER

This case is before the Court on Dr. Marie Therese Assa'ad Faltas' ("Dr. Faltas") Second Rule 60(b) Motion filed on October 9, 1998. This action is currently on appeal to the United States Circuit Court of Appeals for the Fourth Circuit. The instant motion was filed more than a year after Dr. Faltas filed her appeal and long after the Fourth Circuit docketed her case for appeal.

Because of the procedural posture of this action, this Court is divested of jurisdiction to grant Dr. Faltas' Second Rule 60(b) Motion. *See Williams v. McKenzie*, 576 F.2d 566 (4th Cir. 1978); *Williams v. Griffin*, 902 F.2d 1567 (4th Cir. 1990) (unpublished disposition).

IT IS SO ORDERED on this the 30<sup>th</sup> day of October, 1998, at Columbia, South Carolina.

  
DENNIS W. SHEDD  
UNITED STATES DISTRICT JUDGE